

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

FIRST COMMAND BANK,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:20-cv-01254-P
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	
_____	)	

**UNITED STATES' UNOPPOSED MOTION TO EXTEND DEADLINE TO FILE**  
**STIPULATION OF DISMISSAL**

The United States of America requests an additional 45 days to file the Stipulation of Dismissal in this case. In support of the Motion, the United States avers as follows:

1. Plaintiff filed the Complaint in this case on November 26, 2020, seeking a refund of penalties and interest with respect to Form 945 taxes in the amount of \$283,879.60, plus interest, relating to tax year 2009.
2. The parties have resolved this case by agreement and filed a Motion to Stay all Deadlines in this case while the IRS processes the settlement. (Dkt. #9). The Court granted the Motion and ordered the parties to file a Stipulation of Dismissal by June 1, 2021. (Dkt. #10).
3. Due to the COVID-19 pandemic, it is taking the IRS longer than usual to process refunds. Accordingly, the United States requests an extension of 45 days to file the Stipulation of Dismissal in this case.

WHEREFORE, Defendant, United States of America, on behalf of the Internal Revenue Service, requests that the Court grant a 45 day extension to file the Stipulation of Dismissal in this case.

DAVID A. HUBBERT  
Acting Assistant Attorney General

MICHELLE C. JOHNS

/s/ Michelle C. Johns  
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ATTORNEYS FOR UNITED STATES

**CERTIFICATE OF CONFERENCE**

Counsel for the United States conferred with counsel for Plaintiff regarding the relief requested in this Motion and Plaintiff is unopposed.

/s/ Michelle C. Johns  
MICHELLE C. JOHNS

**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that service of the foregoing Unopposed Motion to Extend Deadline to file Stipulation of Dismissal has been made on May 25, 2021, by electronic notification or by first class mail to:

G. Tomas Rhodus  
GRAY REED & MCGRAW, PLLP  
4600 Thanksgiving Tower  
1601 Elm Street  
Dallas, Texas 75201-3005

/s/ Michelle C. Johns  
MICHELLE C. JOHNS